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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

G.L., through his guardian ad litem,

Plaintiff,

vs.

MELANIE CATANIO, an individual;  
NANCY COCHRANE, an individual;  
DONALD ROWBERRY, an individual;  
ANNE MARIE SCHUBERT, as  
Sacramento County District Attorney;  
DAVID CANEPA, an individual; and  
CITY OF FOLSOM, a public entity.

Defendants.

Case No.: 2:22-cv-01686-JAM-JDP

**STIPULATION RE: SERVICE OF THE  
COMPLAINT AND EXTENSION OF TIME  
FOR DEFENDANTS TO RESPOND;  
ORDER THEREON**

1 WHEREAS plaintiff G.L. commenced this action by filing a civil complaint on September  
2 26, 2022 (ECF 1, “Complaint”);

3 WHEREAS a summons was issued on September 26, 2022 to defendants DAVID  
4 CANEPA, MELANIE CATANIO, CITY OF FOLSOM, NANCY COCHRANE, DONALD  
5 ROWBERRY and ANNE MARIE SCHUBERT (each a “Defendant,” and collectively  
6 “Defendants”);

7 WHEREAS plaintiff G.L. has petitioned the Court for appointment of a Guardian ad  
8 Litem, with a hearing date set for November 15, 2022;

9 WHEREAS Defendants wish to defer responding to the Complaint until after a Guardian  
10 ad Litem is formally appointed so that they need not challenge the plaintiff’s capacity to sue via  
11 motions practice and to give the parties the opportunity to sufficiently meet and confer prior to  
12 potential motions challenging the Complaint on other grounds;

13 WHEREAS plaintiff’s counsel has informed defense counsel that defendant CITY OF  
14 FOLSOM was served with the summons and Complaint on September 29, 2022;

15 WHEREAS plaintiff’s counsel has informed defense counsel that defendants MELANIE  
16 CATANIO, DAVID CANEPA, ANNE MARIE SCHUBERT, and NANCY COCHRANE were  
17 served with the summons and Complaint on October 3, 2022;

18 WHEREAS defendant COCHRANE denies being served on October 3, 2022, but her  
19 counsel has agreed to accept service on COCHRANE’s behalf, effective October 7, 2022, to  
20 reduce litigation costs;

21 WHEREAS defendant ROWBERRY has not yet been served with summons and  
22 complaint, but his counsel has agreed to accept service on ROWBERRY’s behalf, effective  
23 October 7, 2022, to reduce litigation costs;

24 WHEREAS, in the interests of judicial economy, the parties also wish to stipulate that  
25 service has been duly effectuated on all Defendants and arrange a common response date for all  
26 Defendants;

27 THEREFORE, the parties by and through their respective counsel, hereby stipulate as  
28 follows:

1           1.       As of October 7, 2022, all Defendants have been served with the summons and  
2 Complaint, together with the court orders and notice of magistrate consent dated September 9,  
3 2022 (ECFs 4, 4-1, 4-2), and plaintiff's application for guardian ad litem (ECFs 5, 5-1, 5-2 and 5-  
4 3);

5           2.       All Defendants shall have until November 30, 2022, inclusive, to respond to the  
6 Complaint in any manner authorized by Rule 12 of the Federal Rules of Civil Procedure.

7           IT IS SO STIPULATED.

8  
9           DATE: October 5, 2022

RIVERA HEWITT PAUL LLP

10  
11                   /s/ Wendy Motooka

WENDY MOTOOKA

12                   Attorneys for Defendants NANCY COCHRANE  
13                   and ANNE MARIE SCHUBERT

14           |  
15           DATE: October 5, 2022

PORTER SCOTT  
A PROFESSIONAL CORPORATION

16  
17                   By: /s/ John R. Whitefleet

John R. Whitefleet

18                   Attorney for Defendants CITY OF  
19                   FOLSOM, MELANIE CATANIO,  
20                   DONALD ROWBERRY, and DAVID  
21                   CANEPA

22  
23           DATE: October 5, 2022

**GAVRILOV & BROOKS**

24                   By: /s/ Mary Anne Martin

Mary Anne Martin

25                   Attorney for Plaintiff G.L.  
26  
27  
28

**ORDER**

After considering the Stipulation by and between the parties through their counsel of record, IT IS HEREBY ORDERED THAT:

1. All Defendants have been served with the summons and Complaint in this action, effective no later than October 7, 2022; and

2. Defendants shall have until November 30, 2022, inclusive, to respond to the Complaint in any manner authorized by Rule 12 of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

DATE: October 6, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE